

MACOMB TOWNSHIP REGULAR BOARD OF TRUSTEES MEETING  
HELD ON SEPTEMBER 10, 2003  
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
54111 BROUGHTON ROAD  
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR  
MICHAEL D. KOEHS, CLERK  
MARIE MALBURG, TREASURER  
TRUSTEES: DINO F. BUCCI, JR.  
JANET DUNN  
KENNETH MEERSCHAERT, JR.  
CHARLES OLIVER

ABSENT: NONE.

Also in attendance: Larry Dloski, Township Attorney  
Jack Dailey, Community Planning Consultant  
James Van Tiflin, Spalding DeDecker Associates, Township  
Engineer. (Additional attendance record on file with Clerk)

Call Meeting to Order

Supervisor Brennan called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

1. Roll Call

Clerk Koehs called the roll. All members present.

2. Approval of Agenda Items (*Addendums and corrections may be added*)

**MOTION by BUCCI seconded by OLIVER to approve the agenda as amended.**

**MOTION carried.**

3. Approval of Bills

**MOTION by OLIVER seconded by DUNN to approve the Bills as submitted.**

**MOTION carried.**

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4. Approval of the previous meeting minutes of August 13 & 27, 2003.

**MOTION by DUNN seconded by MALBURG to approve the meeting minutes of August 13, 2003.**

**MOTION carried.**

**MOTION by DUNN seconded by MALBURG to approve the meeting minutes of August 27, 2003.**

**MOTION carried.**

5. Public Comments (Non Agenda items only - 3 minute time limit)

Public Comments: Wallace Perry reviewed his concerns regarding the fees listed in the Dimensions Brochure particularly the senior Volleyball event. Kevin Karwowicz, Steve Anderson, Geoff Smith, expressed their concerns with the new Medstar Ambulance Contract. No action taken.

**MOTION by KOEHS seconded by OLIVER to close the Public Comments at 7:30 p.m.**

**MOTION carried.**

**PUBLIC HEARING:**

6. Rock Tops, Inc.; Public Hearing for the Tax Abatement Application, Robert Thieve, Petitioner. Permanent Parcel No. 08-17-300-013.

Supervisor Brennan opened the Public Hearing at 7:30 p.m.

Larry Dloski, Township Attorney reviewed the request and recommended approval.

Petitioner: Peter Granaas present.

**MOTION by KOEHS seconded by MALBURG to close the Public Hearing at 7:32 p.m.**

**MOTION carried.**

**MOTION by DUNN seconded by MALBURG to approve the six year Tax Abatement as recommended by the Township Attorney for the contract for Rock Tops, Inc Tax Abatement Application; Parcel No. 08-17-300-013.**

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**FOR THIS MOTION: DUNN, MALBURG, OLIVER, BUCCI,  
MEERSCHAERT, KOEHS, BRENNAN.**

**OPPOSED: NONE.**

**ABSENT: NONE.**

**MOTION carried.**

Addition:

6a. Request to Adopt Resolution No. 3 to determine the necessity of the condemnation at 24 Mile Road and Broughton Road.

The Public Hearing was opened at 7:33 p.m.

James Van Tiflin, Township Engineer reviewed the request.

**MOTION by MALBURG seconded by BUCCI to close the Public Hearing at 7:35 p.m.**

**MOTION carried.**

**MOTION by DUNN seconded by OLIVER to adopt Resolution No. 3 to determine the necessity of the condemnation at 24 Mile Road and Broughton Road.**

**FOR THIS MOTION: DUNN, OLIVER, BUCCI, MEERSCHAERT,  
MALBURG, KOEHS, BRENNAN.**

**OPPOSED: NONE.**

**ABSENT: NONE.**

Addition:

6b. Request to Adopt Resolution No. 4 and direct the Township assessor to prepare the Special Assessment Roll. 24 Mile Road and Broughton Road.

*Item removed, no action taken.*

PLANNING COMMISSION:

7. Rezoning Request; Agricultural (AG) to Residential One Family Urban (R-1); Located on the east side of Card Road approximately ½ mile north of 22 Mile Road; John Cavaliere, Petitioner. Permanent Parcel No. 08-23-300-019.

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Jack Dailey, Community Planning Consultant reviewed the request and recommended denial.

Petitioner: Cecil St. Pierre present.

Trustee Oliver reviewed the frontage issues with the petitioner and Jack Dailey, Community Planning Consultant.

Public Portion: None.

**MOTION by OLIVER seconded by KOEHS to deny the rezoning request from Agricultural (AG) to Residential One Family Urban (R-1); Parcel No. 08-23-300-019.**

**MOTION carried.**

8. Rezoning Request; Agricultural (AG) to Residential One Family Urban (R-1); Located on the east side of Tilch Road and approximately 500 feet south of 21 Mile Road; Raymond Kornieck, Petitioner. Permanent Parcel No. 08-31-201-004.

Jack Dailey, Community Planning Consultant, reviewed the request and recommended approval.

Petitioner: Kevin Kornieck present.

Public Portion: None.

**MOTION by DUNN seconded by KOEHS to approve the rezoning request from Agricultural (AG) to Residential One Family Urban (R-1); Located on the east side of Tilch Road and approximately 500 feet south of 21 Mile Road; Raymond Kornieck, Petitioner. Permanent Parcel No. 08-31-201-004.**

**MOTION carried.**

9. Final Preliminary Plat; Middlecreek Estates; (45 lots); Located north of 22 Mile Road approximately 600 feet east of Romeo Plank Road; Middlecreek Development, Petitioner. Permanent Parcel No. 08-21-352-003.

Jack Dailey, Community Planning Consultant reviewed the request and recommended approval. Mr. Dailey briefly reviewed some of the issues that have been addressed by the petitioner concerning the bridge on the plan.

Petitioner; Kirk Maas present.

Public Portion: None.

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**MOTION by KOEHS seconded by BUCCI to approve the Final Preliminary Plat; Middlecreek Estates; (45 lots); Parcel No. 08-21-352-003.**

**MOTION carried.**

10. Final Preliminary Plat; Rocco Estates Subdivision; (9 Lots); Located on the north side of 21 Mile Road and approximately 120 feet east of Rockwood Drive; R & C Development, Petitioner. Permanent Parcel No. 08-28-376-008.

Jack daily reviewed the request and recommended approval.

Petitioner: Nancy Kolinski present.

Public Portion: None.

**MOTION by OLIVER seconded by MEERSCHAERT to approve the Final Preliminary Plat; Rocco Estates Subdivision; (9 Lots); Parcel No. 08-28-376-008.**

**MOTION carried.**

11. Final Preliminary Plat; Westminister Subdivision; (203 lots); Located on the north side of 22 Mile Road and ¼ mile east of Hayes Road; Grand/Sakwa Macomb Airport, LLC, Petitioner. Permanent Parcel No. 08-19-200-012.

Jack Dailey, Community Planning Consultant reviewed the request and recommended approval.

Petitioner: Craig Duckwitz present.

Public Portion: none.

**MOTION by BUCCI seconded by KOEHS to approve the Final Preliminary Plat; Westminister Subdivision; (203 lots); Parcel No. 08-19-200-012.**

**MOTION carried.**

Addition:

- 11a. North Avenue Site; Variance Request from Engineering Design Standards; Located on the east side of North Avenue approximately 300 feet north of Hall Road; Thomas Mazzola, Petitioner. Permanent Parcel No. 08-36-353-035.

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James VanTiflin, Township Engineer reviewed the request and recommended approval with conditions.

Petitioner: Peter Mazzola present.

Public Portion: None.

**MOTION by KOEHS seconded by MALBURG to approve as stipulated by the Township Engineer as follows: That the Storm Water from the site be stored within a detention basin equivalent capacity of two inches spread over the entire site within the basin, that the depth of the water in the parking lot of the site not exceed 0.7 feet, that the adequate overflow be provided like a traditional detention basin to keep the parking lot from flooding more; for the North Avenue Site; Variance Request from Engineering Design Standards; Located on the east side of North Avenue approximately 300 feet north of Hall Road; Parcel No. 08-36-353-035.**

**MOTION carried.**

**OLD BUSINESS:**

12. Request Release of Wall Sign Bond; Universal Mortgage. Sign Professionals, Inc., Petitioner. Permanent Parcel No. 08-17-476-005

Supervisor Brennan reviewed the request and recommended approval.

**MOTION by DUNN seconded by KOEHS to approve the request for release of Wall Sign Bond; Universal Mortgage. Sign Professionals, Inc., Petitioner. Permanent Parcel No. 08-17-476-005.**

**MOTION carried.**

**NEW BUSINESS:**

13. Request to Adopt the Resolution for Selfridge Air National Guard Base as the Homeland Security Post for the Midwest.

Supervisor Brennan reviewed the request and recommended to move forward.

Public Portion: None.

**MOTION by KOEHS seconded by MEERSCHAERT to adopt the Resolution for Selfridge Air National Guard Base as the Homeland Security Post for the Midwest as follows:**

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**FOR THIS MOTION: KOEHS, MEERCHAERT, OLIVER, BUCCI, DUNN,  
MALBURG, KOEHS, BRENNAN.**

**OPPOSED: NONE.**

**ABSENT: NONE.**

**MOTION carried.**

At a regular meeting of the Macomb Township Board of Trustees that was called to order by Supervisor John D. Brennan on Wednesday, September 10, 2003 at 7:00 p.m. Eastern Daylight Savings Time, the following preamble as resolution were offered by Member Michael D. Koehs and seconded by Member Kenneth Meerschaert, Jr.

**Whereas, Macomb Township would like to see Selfridge Air National Guard Base as the Homeland Security Post for the Midwest, and;**

**Whereas, Selfridge Air National Guard Base is centrally located between the Blue Water Bridge Crossing in Port Huron and the Ambassador Bridge and Detroit- Windsor Tunnel, and;**

**Whereas, If Selfridge Air National Guard base was made a Homeland Security Post for the Midwest it would give Federal, State, County and local police agencies a safe haven in which to operate, train, and investigate national crimes, and ;**

**Whereas, Having Selfridge Air National Guard Base as the Homeland Security Post would provide an increased law enforcement presence to our communities, now;**

**Therefore, Be it resolved by the Board of Trustees of Macomb Township, Macomb County, Michigan that we request that the federal government approve Selfridge Air National Guard Base as Homeland Security Post.**

**Motion by Michael D. Koehs seconded by Kenneth Meerschaert, Jr., that this resolution be adopted.**

**Ayes: KOEHS, MEERCHAERT, OLIVER, BUCCI, DUNN, MALBURG,  
KOEHS, BRENNAN.**

**Nays: NONE.**

**Absent: NONE.**

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**MOTION carried.**

14. Request for liquor license transfer; Wilfred, Inc, Petitioner. Permanent Parcel No. 08-33-478-001 Unit 1.

Supervisor Brennan reviewed the request.

Public Portion: None.

**MOTION by DUNN seconded by BUCCI to approve with the condition that there will be no type of topless adult lewd and or lascivious conduct taking place on the licensed premises for Liquor License for Wilfred Inc. Parcel No. 08-33-478-001 Unit 1.**

**FOR THIS MOTION: DUNN, BUCCI, OLIVER, MEERSCHAERT, MALBURG, KOEHS, BRENNAN.**

**OPPOSED: NONE.**

**ABSENT: NONE.**

**MOTION carried.**

15. Request to adopt the resolution for the Team Angels for Charitable Gaming License.

John Russi, Attorney representative for the Team Angels organization further discussed the request with the Board.

**MOTION by OLIVER seconded by MALBURG to adopt the Resolution for the Team Angels for Charitable Gaming License as follows:**

**LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE  
GAMING LICENSES**

**At the regular scheduled Township Board Meeting of Wednesday September 10, 2003, called to order by John D. Brennan at 7:00 P.M. the following resolution was offered:**

**Moved by Charles Oliver and supported by Marie Malburg that the request from the Team Angels Charitable Gaming License of Macomb Township, County of Macomb, asking that they be recognized as a nonprofit organization operation in the community for the purpose of obtaining a charitable gaming license, be considered for approval.**

**APPROVAL**



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**Yeas: OLIVER, MALBURG, BUCCI, DUNN, MEERSCHAERT, KOEHS,  
BRENNAN.**

**Nays: NONE.**

**Absent: NONE.**

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**I hereby certify that the foregoing is a true and complete copy of a resolution  
offered and adopted by the Township of Macomb at a Regular Township Board  
of Trustees Meeting held on Wednesday September 10, 2003 at 7:00 P.M.**

**SIGNED: \_\_\_\_\_**

**Michael D. Koehs, Macomb Township Clerk**

**54111 Broughton Road**

**Macomb, MI 48042**

**MOTION to adopt resolution carried.**

Addition:

15a. Request for Model Permits; Hidden Meadows Subdivision. Section 26.

Supervisor Brennan reviewed the request.

**MOTION by OLIVER seconded by MALBURG to approve the Model Permits  
for lot numbers 1 & 23 in the Hidden Meadows Subdivision. Section 26.**

**MOTION carried.**

Addition:

15b. Request for Model Permits; Westwood Pointe Subdivision. Section 16.

Supervisor Brennan reviewed the request.

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Model permits for lot numbers 87, 88, 89 and 90.

**MOTION by BUCCI seconded by KOEHS to approve the model permits for lot numbers 87, 88, 89 and 90 for the Westwood Pointe Subdivision. Section 16.**

**MOTION carried.**

**PARK & RECREATION DEPARTMENT:**

16. Request to purchase apparel.

Salvatore DiCaro, Parks & Recreation Director reviewed the request.

**MOTION by DUNN seconded by BUCCI to approve the Recreation Apparel request for All Star Graphics to provide apparel for programs and staff not to exceed the amount of twenty thousand dollars and 00/100 (\$20,000.00).**

**MOTION carried.**

17. Request to repair the Senior Center roof.

Salvatore DiCaro, Parks & Recreation Director reviewed the request.

**MOTION by OLIVER seconded by MALBURG to approve Schrieber Corporation to repair the Senior Center roof for the total cost of Four Thousand Four Hundred Seventy Five dollars and 00/100 (\$4,475.00).**

**MOTION carried.**

18. Request to hire Senior Coordinator.

Salvatore DiCaro, Parks & Recreation Director reviewed the request.

Public Portion: Wallace Perry, Township resident reviewed his concerns regarding the procedure for the position through the use of the block grant funds.

**MOTION by KOEHS seconded by MEERSCHAERT to hire Marion Sorensen as the Senior Citizen Coordinator. The position will consist of approximately twenty (20) hours on a weekly basis and paid ten dollars and 00/100 (\$10.00) per hour. This wage will be paid through Community Development Block Grant C.D.B.G. funds.**

**MOTION carried.**

19. Request to hire co-op student.

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Salvatore DiCaro, Parks & Recreation Director reviewed the request.

**MOTION by MALBURG seconded by DUNN to approve Candace Wilson in grade 12 from Dakota High School as a co-op student scheduled Monday through Friday from 1:00 p.m. to 5:00 p.m. at a wage of Seven Dollars and 50/100 (\$7.50) per hour.**

**MOTION carried.**

**FIRE DEPARTMENT:**

20. Update: Emergency Medical Technician Basic. *Informational only.*

Ray Ahonen, Fire Department Chief updated the Board on the Emergency Medical Technician Basic. No action taken.

21. Leave of absence request.

Ray Ahonen, Fire Department Chief reviewed the request for Mark A. Malburg paid on call Firefighter.

**MOTION by MEERSCHAERT seconded by BUCCI to approve the request for Mark A. Malburg, a paid on call Firefighter, for a six month leave of absence.**

**MOTION carried.**

**WATER & SEWER DEPARTMENT:**

22. Award of bid request, 21 Mile Road & Card Road Sanitary Sewer Extension & Pump Station Abandonment, MA01-032.

David Koss, Water & Sewer Department Superintendent reviewed the request with Jim Van Tiflin, Spalding DeDecker Associates, Inc., Township Engineer.

Public Portion: Wallace Perry, Township resident reviewed his questions and concerns with Mr. Koss.

**MOTION by DUNN seconded by KOEHS to approve as recommended by the Township Engineer to award the bid contract to PAMAR Enterprises, Inc. in the amount of Two Hundred Twenty Two Thousand Five Hundred Ninety Dollars and 00/100 (\$222,590.00) for the 21 Mile Road & Card Road Sanitary Sewer Extension & Pump Station Abandonment, MA01-032.**

**MOTION carried.**

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23. Approval of Purchase Requisitions:  
A. Theut Products, Inc.  
B. SLC Meter Service.

David Koss, Water & Sewer Department Superintendent, reviewed the purchase requisition requests and recommended approval.

**MOTION by OLIVER seconded by KOEHS to approve the purchase requisition from Theut Products, Inc. total cost of One Thousand Two Hundred Eighty Two dollars and 37/100 (\$1,282.37).**

**MOTION carried.**

**MOTION by BUCCI seconded by MALBURG to approve the purchase requisition form SLC Meter Service total cost of Twenty Six Thousand Three Hundred Seventy Seven dollars and 00/100 (\$26,377.00).**

**MOTION carried.**

**BOARD COMMENTS:**

24. Supervisor Comments:

Addition:

- 24a. Request for the Plumbing Inspectors to attend fall conference.

Supervisor Brennan and Bob Beckett, Building Official reviewed the request.

**MOTION by MEERSCHAERT seconded by MALBURG to approve the request for two Plumbing Inspectors to attend the fall conference total cost of Six Hundred Eighty One dollars and 92/100 (\$681.92) plus mileage and meals.**

**MOTION carried.**

Addition:

- 24b. Request to reimburse the assessor training.

Supervisor Brennan reviewed the request for Robert Thomas.

**MOTION by DUNN seconded by OLIVER to approve the request for Robert Thomas, to attend the Property Appraisal Principal course being offered at Henry Ford Community College and that he will be reimbursed for Two Hundred Forty Nine dollars and 00/100 (\$249.00) course fee upon successful completion.**

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**MOTION carried.**

25. Clerk Comments:

25A. Request permission to attend the Michigan Society of Planning Conference.

Clerk Koehs reviewed the request for Edward Gallagher and Roger Krzeminski to attend the Michigan Society of Planning Conference.

**MOTION by OLIVER seconded by DUNN to approve the request for Planning Commission Members Edward Gallagher and Roger Krzeminski to attend the Michigan Society of Planning Conference; total cost of One Thousand Three Hundred Ten dollars and 00/100 (\$1,310.00) plus mileage and meals.**

**MOTION carried.**

Addition:

25b. Request to Extend the SYO five (5) day contract.

Clerk Koehs reviewed the proposal.

**MOTION by OLIVER seconded by MALBURG to approve the extension for the SYO Computer Engineering Services, Inc., contract to maintain the five day level on site with the Information Technician (IT) person through November 10, 2003.**

**MOTION carried.**

26. Treasurer Comments: None.

27. Trustees Comments: None.

**EXECUTIVE SESSION:**

**MOTION by KOEHS seconded by MALBURG to adjourn into Executive Session at 8:21 p.m.**

**MOTION carried.** *The Board reconvened at 8:40 p.m.*

28. Grand Sakwa Litigation – Informational only no action taken.

Addition:

29. Consideration of the AFSCME 1103 Contract.

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**MOTION by KOEHS seconded by OLIVER to accept and approve the  
AFSCME 1103 contract as presented.**

**MOTION carried.**

**FOR THIS MOTION: KOEHS, OLIVER, BUCCI, DUNN,  
MEERSCHAERT, MALBURG, BRENNAN.**

**OPPOSED: NONE.**

**MOTION carried.**

**ADJOURNMENT**

**MOTION by MEERSCHAERT seconded by BUCCI to adjourn the meeting  
at 8:41 p.m.**

**MOTION carried.**

Respectfully,

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John D. Brennan, Supervisor

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Michael D. Koehs, Clerk  
Gabrielle M. Baker, Recording Secretary  
MDK/gmb

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*Addition:*

- 6a. Request to Adopt Resolution No. 3 to determine the necessity of the condemnation at 24 Mile Road and Broughton Road.

**24 MILE ROAD SANITARY SEWER  
SPECIAL ASSESSMENT DISTRICT  
SDA-MA085S**

**RESOLUTION NO. 3**

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on **September 10, 2003**, at 7:00 o'clock P.M., Eastern Daylight Savings Time.

PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Dino F. Bucci, Jr., Janet Dunn, Charles Oliver, Kenneth Meerschaert, Jr.  
ABSENT: None.

The following preamble and resolution were offered by Member DUNN supported by Member OLIVER.

**WHEREAS**, the Township Board has caused to be prepared plans showing the sanitary sewer improvements more particularly herein described together with the location and estimate of costs thereof; and

**WHEREAS**, the Township Board has tentatively declared its intention to make the improvements and has tentatively designated the special assessment district against which the cost of said improvements are to be assessed; and

**WHEREAS**, after due and legal notice, the Township Board has met and heard all persons interested in the improvements, the petitions submitted therefor and the special assessment district to be created;

**NOW, THEREFORE, BE IT RESOLVED BE THE TOWNSHIP  
BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY,  
MICHIGAN:**

1. That the Township Board hereby determines that a Petition, as amended, theretofore filed with the Township Board signed by the record owners of land constituting more than (50%) fifty percent of the total area to be benefited from the installation of the sanitary sewer improvements, is legally sufficient for the Township Board to proceed in accordance with the provisions of Act 188, Public Acts of 1954, as amended.

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2. The Township Board hereby determines to make the proposed sanitary sewer improvements described in Exhibit "A" attached hereto and made a part hereof:
3. The Township Board finally determines that the special assessment district against which the aforesaid sum shall be assessed shall consist of all lands described in said Petition and constituting the area to be benefited by said improvement.
4. The Township Board hereby approves the plans and estimates of costs in the sum of;

Total project cost	\$116,200.00
Township's Share	\$-0-
SAD Share	\$116,200.00

as originally prepared and presented by the SDA Consulting Engineers, which shall be levied against the special assessment district for benefits received from, said improvements. Alternatively, the Township Engineer may proceed to final construction drawings and advertise and solicit bids for construction and installation of the improvements and the bid amount, together with ancillary and related costs, shall constitute the total cost of the project.

The Township Legal Counsel is authorized to acquire by condemnation, if necessary, the easements, if any, within which to install the sanitary sewer.

5. The Supervisor is hereby directed to make a special assessment roll in which shall be described all of the parcels of land to be assessed, as above set forth, with the names of all the owners thereof, if known, and the total amount to be assessed each parcel of land, which amount shall be such relative portion of the whole sum to be levied against all parcels of land in the assessment district as the benefit to such parcel of land bears to the total benefit of all parcels of land in the special assessment district.
6. When the Supervisor shall have completed the special assessment roll, he shall affix thereto his certificate stating that said roll was made pursuant to the Township Board of the Township of Macomb, adopted on September 10, 2003, and that in making the assessment roll he has, according to his best judgment, conformed in all respects to the directions in said resolution and the status of the State of Michigan, and the Supervisor shall then report the special assessment roll, with his Certificate attached thereto, to the Township Board.



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7. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

**FOR THIS RESOLUTION:**            **DUNN, OLIVER, BUCCI,  
MEERSCHAERT, MALBURG, KOEHS,  
BRENNAN.**

**OPPOSED:**                            **NONE.**

**ABSENT:**                             **NONE.**

**THIS RESOLUTION DECLARED ADOPTED.**

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MICHAEL D. KOEHS  
MACOMB TOWNSHIP CLERK

EXHIBIT "A"

A 15-inch sanitary sewer and appurtenances along 24 Mile Road from Broughton Road to approximately 680 feet east.

**CERTIFICATE OF CLERK**

I hereby certify that the attached constitutes a true and complete copy of a resolution adopted by the Township Board of the Township of Macomb, County of Macomb, State of Michigan, at a regular meeting held on **September 10, 2003**, and that public notice of said meeting was given pursuant to Act 267, Public Acts of Michigan, 1976, including in the case of a special or rescheduled meeting notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

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Michael D. Koehs  
Macomb Township Clerk